

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

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**UNITED STATES OF AMERICA,**

**v.**

**HENRY KYLE FRESE,**

**Defendant.**

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**Case No. 1:19-CR-00304 (LMB)**

**MOTION FOR REMOVAL OF MONITOR AND TO ALLOW TRAVEL**

Henry Kyle Frese, by and through undersigned counsel, respectfully moves this Honorable Court to allow him to have probation remove his ankle monitor on Friday August 28, 2020 so that he can travel and spend time with his family prior to his self-surrender. The government does not oppose Mr. Frese's request to travel but it does oppose his request to have the monitor removed prior to travel. As grounds for the motion, Mr. Frese states as follows:

On September 2, 2020, Mr. Frese is set to report to FCI Milan in Michigan, which is located far away from his family. His family has developed plans, if the Court were to agree, to spend time in New Haven, Michigan, prior to his surrender. Mr. Frese and his sisters would travel from Philadelphia to Detroit this Sunday. He, his parents, siblings and his cousin would all then meet in New Haven and remain there until Tuesday, September 1. Mr. Frese and his family would then all drive to a location close to FCI Milan and would spend the night there. His family would then accompany him to the facility to surrender on September 2.

Since the inception of this case about 10 months ago, Mr. Frese has been living with his sister in Philadelphia. He has complied with all conditions of release and has appeared at all Court proceedings. Accordingly, we ask the Court to allow him to spend time with his family in

Michigan and remove the monitor, especially since the prospect of him having visits in the near term is highly unlikely.

If the Court were to grant the motion, Mr. Frese would go to his pretrial service officer in Philadelphia to have the monitor removed. A representative of probation has represented that if he were to wear the monitor and surrender it at the facility, there will be logistical issues getting the device returned.

WHEREFORE, for the foregoing reasons, it is respectfully requested that this Court grant the above request and enter the attached Order.

Respectfully submitted,

HENRY KYLE FRESE,  
By Counsel

/s/ Stuart A. Sears

Stuart A. Sears

VA Bar 71436

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 27<sup>th</sup> day of August, 2020, I electronically filed a true copy of the foregoing motion with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all parties.

/s/ Stuart A. Sears  
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